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4 BILL NO. S-77-04- 22

87-77  
SPECIAL ORDINANCE NO. S- ~~77-87~~

5  
6 AN ORDINANCE approving a contract between International Harvester Company  
7 and the City of Fort Wayne, by and  
8 through its Department of Public Safety,  
9 for fire protection.

10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
11 WAYNE, INDIANA:

12 SECTION 1. The contract, dated March 26, 1977, between  
13 the City of Fort Wayen, by and through its Mayor and Board of  
14 Commissioners, Department of Public Safety, and International  
15 Harvester Company for fire protection from the Fort Wayne Fire  
16 Department on specified grounds outside the city limits, described  
17 as follows, to-wit:

18 All buildings and improvements of IHC located in an  
19 area bounded by New Haven Avenue on the North; Meyer  
20 Road on the East; Penn Central RR Tracks on the South  
21 and Coliseum Boulevard on the West (including the  
22 buildings facing on Pontiac Street extended), with the  
23 exception of the ND Warehouse property (Harback Realty  
24 Co.) located on the SE corner of the above area, which  
25 said area is visually shown outlined in red on Exhibit  
26 "A" attached hereto and made a part hereof.

27 The said buildings and improvements, which are collect-  
28 ively referred to as "the premises" hereafter in this  
29 contract, are reflected for tax purposes upon the assess-  
30 ed value of \$1,112,530; \$3,840,836 and \$57,460 issued by  
31 the Adams Township Assessor's Office.

32 SECTION 2. The cost to International Harvester Company  
33 shall be the sum of \$56,567.21, which amount shall be deposited  
34 into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns  
35 Statutes Annotated Sec 48-6176.

36 SECTION 3. Said contract is on file in the Office of  
37 the Board of Public Safety and is by reference incorporated herein,  
38 and made a part hereof, is hereby in all things ratified, confirm-  
39 ed and approved.

40 SECTION 4. This Ordinance shall be in full force and  
41 effect from and after its passage and approval by the Mayor.

42  
43  
44 APPROVED AS TO FORM  
45 AND LEGALITY,

*William J. Long*  
Councilman

*[Signature]*  
CITY ATTORNEY

Read the first time in full and on motion by Hinga, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

DATE: 4/26/77

Charles W. Tustum  
CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage.

PASSED (~~POST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	✓				
HINGA	✓				
HUNTER	✓				
MOSES	✓				
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHMIDT, V.	✓				
STIER	✓				
TALARICO	✓				

DATE: 5-10-77

Charles W. Tustum  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~)

ORDINANCE (~~RESOLUTION~~) No. 87-77 on the 10th day of May, 1976.  
ATTEST: (SEAL)

Charles W. Tustum  
CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of May, 1976, at the hour of 4:30 o'clock P M., E.S.T.

Charles W. Tustum  
CITY CLERK

Approved and signed by me this 16th day of May, 1976, at the hour of 2:30 o'clock P M., E.S.T.

Robert Elmschroing  
MAYOR

Bill No. S-77-04-22

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance  
approving a contract between International Harvester Company and the  
City of Fort Wayne, by and through its Department of Public Safety, for fire  
protection

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

WILLIAM T. HINGA - CHAIRMAN

JAMES S. STIER - VICE CHAIRMAN

VIVIAN G. SCHMIDT

PAUL M. BURNS

FREDRICK HUNTER

*William T. Hinga*

*James S. Stier*  
*Vivian G. Schmidt*  
*Paul M. Burns*  
*Fredrick Hunter*

5-10-77  
DATE 5-10-77 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK

FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 26<sup>th</sup> day of March, 1977, between the CITY OF FORT WAYNE, Indiana, acting by and through its Mayor and Board of Commissioners. Department of Public Safety, ("CITY") and INTERNATIONAL HARVESTER COMPANY, a corporation having a place of business in Adams Township, Allen County, Indiana ("IHC").

WHEREAS, IHC is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of IHC located in an area bounded by New Haven Avenue on the North; Meyer Road on the East; Penn Central RR Tracks on the South and Coliseum Boulevard on the West (including the buildings facing on Pontiac Street extended), with the exception of the ND Warehouse property (Harback Realty Co.) located on the SE corner of the above area, which said area is visually shown outlined in red on Exhibit "A" attached hereto and made a part hereof.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon the assessed value of \$1,112,530; \$3,840,836 and \$57,460 issued by the Adams Township Assessor's Office.

and, WHEREAS, IHC desires to be assured that fire protection by CITY is available at the premises above-described:

NOW, THEREFORE, the parties agree as follows:

1. From March 26, 1977 until March 25, 1978, upon the receipt of CITY'S Fire Department of a notification or signal that there is a fire on the premises above-described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For fire fighting services provided for herein, IHC shall pay to CITY the sum of One and One Thousand Two-Hundred Eighty Nine Thousandths Dollars (\$1,1289) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the Improvements hereinabove identified as the premises. The improvement hereinabove identified having an assessed valuation of \$5,010,826, the sum owing under this contract is \$56,567.21. Said sum shall be payable as follows: \$28,283.60 upon execution of this contract; and, the balance on or before September 26, 1977.

3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect IHC buildings, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and IHC operations on the premises, so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

(4) Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and Clerk of CITY, and the members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

INTERNATIONAL HARVESTER COMPANY

By *Russell H. Meyer*  
Russell H. Meyer  
Plant Manager

ATTEST:

*G. R. Plotts*  
G. R. Plotts  
Plant Comptroller

CITY OF FORT WAYNE, INDIANA

By *Robert E. Armstrong*  
Robert E. Armstrong, Its Mayor

ATTEST:

*Charles M. Westerman*  
Charles M. Westerman, Clerk

BOARD OF COMMISSIONERS,  
DEPARTMENT OF PUBLIC SAFETY

By Albert N. Hepler  
Albert N. Hepler, Chairman

By William L. Kerr  
William L. Kerr, Member

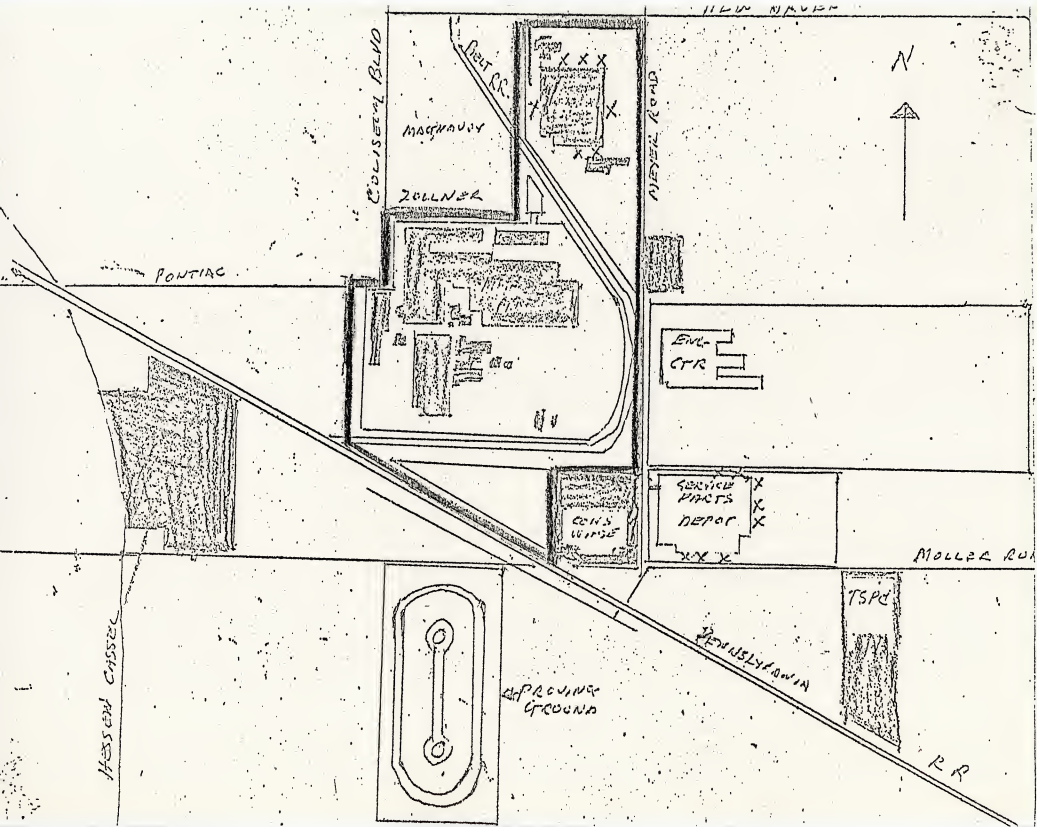
By Solon Jennings  
Solon Jennings, Member

ATTEST:

John C. Lewton  
John C. Lewton, Executive Secretary

I hereby certify that the foregoing contract was ratified  
and approved by the Common Council of the City of Fort Wayne, Indiana,  
on May 10, 1977.

Charles W. Westerman  
Charles W. Westerman, Clerk



5013  
TITLE OF ORDINANCE \_\_\_\_\_

DEPARTMENT REQUESTING ORDINANCE Office of Emergency Services

SYNOPSIS OF ORDINANCE A Fire contract with International Harvester and the  
city of Fort Wayne. This will provide fire protection for International Harvester  
which is located outside the city limits.

EFFECT OF PASSAGE The fire department would receive \$56,567.21 which would be  
utilized to purchase fire equipment.

EFFECT OF NON-PASSAGE The fire department would lose \$56,567.21.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \_\_\_\_\_

ASSIGNED TO COMMITTEE \_\_\_\_\_